



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,232	07/14/2006	Mitsuhiro Hamashima	URBA-0004	7091

37013 7590 07/23/2010
ROSSI, KIMMS & McDOWELL LLP.
20609 Gordon Park Square, Suite 150
Ashburn, VA 20147

EXAMINER

CHACKO, SUNIL

ART UNIT	PAPER NUMBER
----------	--------------

2625

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

07/23/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptomail@rkmlegalgroup.com

Office Action Summary	Application No. 10/576,232	Applicant(s) HAMASHIMA ET AL.	
	Examiner SUNIL CHACKO	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-27 and 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-27 and 43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on 05/04/2010 has been entered. Claim 25, 27, & 43 has been amended. No claims have been canceled. Claims 22-27 and 43 are still pending in this application, with Claims 25, 27, & 43 being independent.

Response to Arguments

2. Applicant's arguments with respect to claims 22-27 & 43 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

Art Unit: 2625

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. Claims 22-25, 27, & 43 are rejected under U.S.C. 103(a) as being unpatentable over Ferlitsch (US Patent #6,943,905 B2) in view of Barry et al. (US Patent 6,657,741 B1).

As to Claim 25

Ferlitsch teaches *an image printing system having a plurality of image output apparatuses*

- *each apparatus having an input element for inputting image data, (Ferlitsch teaches a computing devices that provides the printers with printing data, see column 8 lines 22-25)*
- *an instruction element for instructing by an operator to print out, a printing element for printing out image data using a printing device, (Ferlitsch also teaches that the computing device is capable of initiating a print job to a printing device, see column 8 lines 22-26)*

Ferlitsch does not explicitly teach the following limitations:

- *an image printing system having a plurality of image output apparatuses connected and positioned next to each other,*
- *removal opening corresponding to the printing device, and a printed item conveying device for conveying printed items between the image output apparatuses and conveying the printed items to the removal opening,*

Art Unit: 2625

- *an assigning element for assigning the image data instructed by the operator to the other image output apparatuses, in addition to performing the printout process itself; and*
- *a conveying element for conveying the printed items to the removal opening of the apparatus having requested the printing using the printed item conveying device if the image output apparatus itself is not the apparatus having requested the printing.*

However, Barry et al. teaches a multiple print engine system with the ability to distribute print medium to a plurality of output bins, see abstract and Fig. 4. Barry teaches that multiple print engines or work stations are connected to each other and placed in one device, see Fig. 4. Barry also teaches that there is opening for each work station, see Fig. 4 (element 110, 112, 114). Barry also teaches that the printed documents are conveyed to each bin via rollers, see column 5 lines 18-35. Barry teaches an image task manager (Fig. 1 element 26) that is responsible for assigning the print data to a specific workstation. Barry also teaches that even if a certain workstation or print engine outputs a document, it can still be outputted to another workstation's bin, see column 3 lines 14-34. It would have been obvious to one skilled in the art at the time of the invention to combine Ferlitsch in view of Barry et al because it allows a user to operate a printing apparatus that can output printed images in an organized and efficient manner.

As to Claim 22 (which depends on Claim 25)

Art Unit: 2625

Ferlitsch in view of Berry et al. further teaches *an image printing system,*

- *wherein the assigning element preferentially assigns the image data to be printed to the printing device that has printed out the least number of image data among the printing devices.* (Ferlitsch teaches a print driver which selects a printing apparatus as result of the various printers status, it is well know in the art to check the status of a printer's ink level, in the case where a printer runs out of ink and its status reveals this, the virtual printer would choose a printer that has more ink, in this case it would be the printer that printed the least number of image data, see column 8 lines 55-64)

As to Claim 23 (which depends on Claim 25)

Ferlitsch in view of Berry et al. further teaches *an image printing system,*

- *wherein the assigning element assigns the same image data to the same printing device.* (Ferlitsch teaches that the virtual print driver sends or assigns print data to the chosen printing apparatus, see column 8 lines 55-60)

As to Claim 24 (which depends on Claim 25)

Ferlitsch in view of Berry et al. further teaches *an image printing system,*

- *wherein the assigning element assigns a smaller percentage of image data to a certain printing device than to other printing devices.* (Ferlitsch teaches a print driver which selects a printing apparatus as result of printer status, in the case where one of the printers status is turned off print jobs would not be sent to this

Art Unit: 2625

printer causing a that printer to be assigned a smaller percentage of jobs, see column 8 lines 55-64)

As to Claim 27

Ferlitsch teaches *an image output method performed by an image printing system having a plurality of image output apparatuses*

- *each apparatus having an input element for inputting image data, (Ferlitsch teaches a computing devices that provides the printers with printing data, see column 8 lines 22-25)*
- *an instruction element for instructing by an operator to print out, a printing element for printing out image data using a printing device, (Ferlitsch also teaches that the computing device is capable of initiating a print job to a printing device, see column 8 lines 22-26)*

Ferlitsch does not explicitly teach the following limitations:

- *an image output method performed by an image printing system having a plurality of image output apparatuses connected and positioned next to each other,*
- *a removal opening corresponding to the printing device, and a printed item conveying device for conveying printed items between the image output*
- *apparatuses and conveying the printed items to the removal opening,*
- *assigning the image data instructed by the operator to the other image output apparatuses, in addition to performing the printout process itself; and*

Art Unit: 2625

- *conveying printed items to the removal opening of the having requested the printing using the printed item conveying device if the image output apparatus itself is not the apparatus having requested the printing.*

However, Barry et al. teaches a multiple print engine system with the ability to distribute print medium to a plurality of output bins, see abstract and Fig. 4. Barry teaches that multiple print engines or work stations are connected to each other and placed in one device, see Fig. 4. Barry also teaches that there is opening for each work station, see Fig. 4 (element 110, 112, 114). Barry also teaches that the printed documents are conveyed to each bin via rollers, see column 5 lines 18-35. Barry teaches an image task manager (Fig. 1 element 26) that is responsible for assigning the print data to a specific workstation. Barry also teaches that even if a certain workstation or print engine outputs a document, it can still be outputted to another workstation's bin, see column 3 lines 14-34. It would have been obvious to one skilled in the art at the time of the invention to combine Ferlitsch in view of Barry et al because it allows a user to operate a printing apparatus that can output printed images in an organized and efficient manner.

As to Claim 43

Ferlitsch teaches a computer readable recording medium on which is recorded a computer program which causes a computer to function as an image printing system, (Ferlitsch teaches a computer program that controls function of image printing system see column 13 lines 32-40)

Art Unit: 2625

- *each apparatus having an input element for inputting image data, (Ferlitsch teaches a computing devices that provides the printers with printing data, see column 8 lines 22-25)*
- *an instruction element for instructing by an operator to print out, a printing element for printing out image data using a printing device, (Ferlitsch also teaches that the computing device is capable of initiating a print job to a printing device, see column 8 lines 22-26)*

Ferlitsch does not explicitly teach the following limitations:

- *a plurality of image output apparatuses connected and positioned next to each other,*
- *removal opening corresponding to the printing device, and a printed item conveying device for conveying printed items between the image output apparatuses and conveying the printed items to the removal opening,*
- *an assigning element for assigning the image data instructed by the operator to the other image output apparatuses, in addition to performing the printout process itself;*
- *a printed item conveying device for conveying printed items to the removal opening of the image output apparatus instructed by the operator. a conveying element for conveying the printed items to the removal opening of the apparatus having requested the printing using the printed item conveying device if the image output apparatus itself is not the apparatus having requested the printing.*

Art Unit: 2625

However, Barry et al. teaches a multiple print engine system with the ability to distribute print medium to a plurality of output bins, see abstract and Fig. 4. Barry teaches that multiple print engines or work stations are connected to each other and placed in one device, see Fig. 4. Barry also teaches that there is opening for each work station, see Fig. 4 (element 110, 112, 114). Barry also teaches that the printed documents are conveyed to each bin via rollers, see column 5 lines 18-35. Barry teaches an image task manager (Fig. 1 element 26) that is responsible for assigning the print data to a specific workstation. Barry also teaches that even if a certain workstation or print engine outputs a document, it can still be outputted to another workstation's bin, see column 3 lines 14-34. It would have been obvious to one skilled in the art at the time of the invention to combine Ferlitsch in view of Barry et al because it allows a user to operate a printing apparatus that can output printed images in an organized and efficient manner.

6. Claim 26 is rejected under U.S.C. 103(a) as being unpatentable over Ferlitsch (US Patent #6,943,905 B2) in view of Barry et al. (US Patent 6,657,741 B1) in further view of Kuo (US Patent 5,513,013)

AS to Claim 26 (which depends on Claim 25)

Ferlitsch in view of Barry et al does not explicitly teach *an image printing system*,

Art Unit: 2625

- *further comprising a removal-opening open close element for opening an open and close flap of the removal opening of the image output apparatus instructed by the operator and closing those of all other removal openings.*

However, Kuo teaches a Facsimile output job sorting unit that is capable of closing all bins or flaps so that all the output will exit out on open flap, or bin, See Fig 8 and see column 21 lines 40-45. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine, Ferlitsch in view of Barry et al. in further view of Kuo because combining the three inventions would ensure a multiple integrated machine that would provide customers an efficient mechanism for storing and sorting a large print job.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2625

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNIL CHACKO whose telephone number is (571)270-7221. The examiner can normally be reached on Mon-Thurs 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benny Q. Tieu can be reached on 571-272-7490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SUNIL CHACKO/
Examiner, Art Unit 2625

Application/Control Number: 10/576,232

Page 12

Art Unit: 2625

/Benny Q Tieu/

Supervisory Patent Examiner, Art Unit 2625